21:Huxley Q, T-5 (no date) 1960 FL11 Luo FL11

Behind and beyond are old beliefs that are still alive. A man can lay upon a piece of land, when he is dying, an oath that binds his heirs to hold on to it for ever, and will destroy anyone who sells it out of the family—an entail with the sanction of magic. And then old homesteads on the Kano plains sheltering behind euphorbia hedges contain the bones of the deceased owner, who is buried under the floor of his hut. So consolidation may ask the son to exchange not merely a field of maize, but the bones of his father, the terrestrial anchor of his father's spirit. No wonder it is often too much to ask, and that politicians find these deep fires easy to fan.

To reach Nyabondo we climbed a small escarpment, the beginning of the Kipsigis hills, left the car beside a track and walked to the farm of a young, pleasant-mannered school supervisor called James Onyango, one of the leaders of the enclosure movement. We sat under a tree near his new tin-roofed modern bungalow, above a shallow valley with a stream. The country here is gently rolling and thickly dotted with roofs of homesteads. Many people had gathered in a circle; the women sat together in bright cottons and gay head-scarves, plump and glossy, most of them with grave-faced, round-eyed babies sleeping in their arms or crawling about the grass beside them. This question of land touches the women at the core. James Onyango told his story in English.

'The idea of exchanging gardens came to us two years ago; we had heard of it in other places; most of us were interested, and asked the Government to advise. We held a meeting and agreed unanimously to consolidate, all of us within the Kadianga clan, fifty-nine families. In our clan are three sub-clans; each appointed three men to form a committee. Each of these three was a *m'guru*—an elder whose task is to look after the land, and one of these was made the president.

'We started to exchange our gardens, and at first everything was fair. Then came elections for the Legislative Council and the District Council. The candidates thought they would gain popularity by speaking against the land schemes. They campaigned among the people, and some listened. They had clever ways. In each sub-location they had an agent who

21:Huxley Q, T-5 (no date) 1960 FL11 Luo FL11

fifty years later their son, Mr. Paddy Savile, after many years' service in Tanganyika, was to become Chief Agriculturalist to the Government and help to make a path for Progress through the land of his birth. Maseno mission was envisaged as 'a Christian base from which the Gospel might be carried far and wide into the surrounding country, with a school for the sons of Luo chiefs at which future leaders of the country would be trained in a Christian atmosphere.'

Four small boys called Onduso, Odindo, Owiti and Oroa were drafted from Kaimosi to form a nucleus and every 'chief' was asked to contribute two sons. 'Chief' was an arbitrary term, and the leading Luo objected strongly to the disappearance of their sons, probably regarding it as another form of slavery. In those days the Luo went stark naked, used beads or hoes for currency, and prized most highly the black ostrich feathers which warriors wore as head-dresses.

'In five years' time a hundred small boys from the school were sent out, two by two, for a fortnight at a time, to teach in Kisumu and in the villages. Then they came back to Maseno for a month for further teaching. In this way the original Iona idea began to be realized and Maseno became a base of Christian influence.' Bishop Willis developed this idea in a letter: 'It affords a shelter amid a sea of temptation; it makes Christian teaching applicable and Christian living a possibility.'*

So from four small and doubtless bewildered boys under a tree, Maseno developed until by the time of its golden jubilee it embraced primary, intermediate and secondary schools, a teacher-training college, a Jeanes school for adult education, a college for agricultural instructors and veterinary scouts. Even the girls had by this time been included, although their education for years lagged far behind that of their brothers.

At the time of my visit this part of Nyanza was a-buzz with rumour and diatribe, for the District Council in Kisumu had just been dissolved by Governor's decree. To balance the official line on this, I asked to meet a firebrand or two, and everyone agreed that Maseno was the place for a crackle of

*From *Fifty Years in Nyanza*, by Elizabeth Richards, M.A. Maseno Press. 1956.

21:Huxley Q, T-5 (no date) 1960 FL11 Luo FL11

firebrands. So in a small brick room put up by Bishop Tucker in 1911, and now the secondary school's common-room, I met a bunch of schoolmasters, all fluent in English, well-informed and politically-minded.

I put to them the question that most puzzled me; land reforms are unquestionably progressive and of benefit to Africans; by raising living standards they will advance the prospect of self-government; why, then, do so many educated Africans appear to oppose them?

The answer I got was unexpected. Mr. Samwell Ayan, a history teacher, a Makerere graduate, head of the Kenya Teachers' Union and an elected member of the District Council that was embroiled in trouble, spoke impressively—and with moderation and logic.

'People are not getting justice,' he said. 'Men are losing land they are entitled to because of bribery and corruption in the African Courts. Everyone is being bribed—land elders, chiefs, witnesses. Yes, from the African Courts a man can take his case before the D.C., but what can the D.C. do? He sees only the evidence in front of him; it is all rigged; the man loses his land. I know of many cases like that. The Courts are rotten—a washout.

'I know of a case where the president of the Court altered all the evidence after it had been given and sent it up to the superior Court. When the plaintiff heard the false evidence read out, he was hopelessly confused. Clerks take bribes to keep appeal cases beyond the date when the right to appeal lapses. This is being done even in Kisumu. All the land elders can be bribed. The hunger for land is so great.

'What should be done? First, hear land cases before everyone in the location who has, or is entitled to, land—a real people's court. Then, make tape-recordings of evidence in the lower courts; if the evidence is changed, everyone will know. And let the district officer take all land cases so that he hears everything.

'It is because of this corruption and unfairness that people oppose land consolidation. All the same, it has got to come. It is progressive. But do not let it be forced.'

Mr. Ayan spoke with sincerity and even passion. This

21:Huxley Q, T-5 (no date) 1960 FL11 Luo FL11

question of bribery and corruption crops up everywhere and all concerned on the official side recognize it as their deepest enemy. But when I put Mr. Ayan's points to them they were a little sceptical. 'Of course there is bribery,' they said, 'but it is not as bad as that. And it is not the people who oppose land reforms, it is the politicians.' Mr. Ayan had just sent a telegram to the Governor asking for the removal of the 'reactionary D.C.' in Kisumu, so relations were naturally a bit strained.

VI

On the way to Maseno we had passed the ostensible *casus belli* between District Council and Government: the Kisiani hills, a barren, rocky bluff entirely denuded of vegetation and a scene of the most gruesome erosion, given over to goats browning on boulders and any indomitable weed that had managed to germinate. This place had been leased by the District Council to the Government for the purpose of afforestation and about 800 acres of trees had been planted at a cost of £13,000.

Afforestation is unpopular. Goats were allowed to destroy the Kisiani seedlings and, when the forest department put up fences, people came and tore them down in the night. Others started to cultivate in defiance not only of the terms of the lease, but of regulations which forbid cultivation on steep hillsides. All this, in the official view, was part of a deliberate political campaign to stir up anti-Government feeling.

The Kisiani quarrel brought to a head bad feeling between the Central Nyanza District Council and the Government. All the Councillors are African save for the chairman, who is the D.C. Most of its senior technical staff are European and, in particular, it employs (as do all District Councils with large revenues) a fully qualified accountant to manage its finances.

Those elected Councillors most anxious for unrestricted freedom objected strongly to this accountant. Africans, they said, should have the spending of African money without European interference. Officials retorted that in proper,

21:Huxley Q, T-5 (no date) 1960 FL11 Luo FL11

honest accounting lies the only defence against wholesale bribery and corruption—against the sort of thing Mr. Ayan had complained about so powerfully. 311 648 668

In the midst of this controversy the Council, with its elected majority, repudiated the lease of the Kisiani afforestation area and refused to take steps to stop sabotage of the plantations. The Government retorted by demanding repayment of the £13,000 spent upon them. This would have meant raising the Council's annual rate from eighteen to twenty-one shillings on each adult male. 177

This demand to increase the rate was, of course, turned down flat by the elected Councillors, who in their anger sacked the accountant, appointed a totally unqualified African at £1,000 a year to succeed him, and threatened to dismiss other European staff on grounds of race. They also voted large increases in their own salaries and allowances. [186]

Naturally I asked Mr. Ayan's views. The Kisiani trouble, in his account, boiled down to a number of misunderstandings. The individuals who owned cultivation rights in the hills had not, he said, ever fully understood the matter, it had not been properly explained. They thought the trees would be theirs, not common property. They had never given their permission on paper, with marks or signatures. The matter was explained to them by an unpopular chief who did not wait to hear all their objections. When they grazed their goats in the plantations they thought they were on their own property and were much aggrieved when they were fined. They had no land elsewhere. Land hunger was so acute as to be a more important matter even than marriage. 'If a man should lose his wife he can buy another; but once the land is gone you cannot buy any more.' 311 177 648

It looked like one more failure in public relations. But the officials denied this. 'We explained over and over again,' they said. '*Barazas*, news-sheets, radio . . . Everyone had a chance to put his case. No, behind it is the old story—politicians spreading rumours that it's all a trick to steal the land.' [668]

[pp. 110-151 not processed]